

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Filip Woroniecki	Team: Squad #7	CCRB Case #: 201705184	<input type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Thursday, 06/22/2017 9:00 AM	Location of Incident: East 130th Street and Park Avenue	Precinct: 25	18 Mo. SOL 12/22/2018	EO SOL 12/22/2018	
Date/Time CV Reported Tue, 06/27/2017 10:54 AM	CV Reported At: CCRB	How CV Reported: Phone	Date/Time Received at CCRB Tue, 06/27/2017 10:54 AM		
Complainant/Victim	Type	Home Address			
Witness(es)	Home Address				
Subject Officer(s)	Shield	TaxID	Command		
1. POM Eric Maldonado	20958	897937	025 PCT		
Officer(s)	Allegation			Investigator Recommendation	
A.POM Eric Maldonado	Discourtesy: Police Officer Eric Maldonado acted discourteously toward § 87(2)(b)				

Case Summary

On June 27, 2017, § 87(2)(b) filed this complaint with the CCRB via phone. On June 22, 2017, at approximately 9:00 a.m., § 87(2)(b) and § 87(2)(b) were pulled over at the intersection of East 130th Street and Park Avenue in Manhattan by PO Eric Maldonado of the 25th Precinct. During the stop, § 87(2)(b) handed PO Maldonado a PBA card, which he had received from his mother. PO Maldonado took the PBA card from § 87(2)(b) and after examining it, he allegedly tossed it onto the dashboard through the front driver's side window of the vehicle (**Allegation A**). As a result of this incident, § 87(2)(b) was issued a summons for § 87(2)(b).

The investigation did not obtain video footage of the incident as § 87(2)(b) was unable to provide the exact incident location.

Mediation, Civil and Criminal Histories

- § 87(2)(b) rejected mediation.
- [§ 87(2)(b)] [§§ 86(1)(3)&(4)] [§ 87(2)(c)]
[REDACTED]
- As of July 19, 2017, there was no Notice of Claim filed for this complaint (Board Review 02).

Civilian and Officer CCRB Histories

- § 87(2)(b) has filed one prior CCRB complaint. § 87(2)(b)
[REDACTED]
- PO Maldonado has been a member of service for 26 years. He has been a subject of 19 prior allegations, stemming from 10 prior complaints, none of which have been substantiated. Five of the referenced allegations were discourtesy allegations (Board Review 04).

Potential Issues

- The investigation did not obtain a statement from § 87(2)(b) a civilian witness involved in this complaint. § 87(2)(b) missed two scheduled CCRB appointments and not contact the agency in advance to cancel or reschedule.
- § 87(2)(b) denied being the driver of the vehicle and instead stated that it was § 87(2)(b) who drove the vehicle and used his cellphone prior to the vehicle being pulled over.

Findings and Recommendations

Allegation A -Discourtesy: Police Officer Eric Maldonado acted discourteously toward § 87(2)(b)

§ 87(2)(b) stated that upon pulling over the vehicle, PO Maldonado approached the driver's side window of the vehicle and requested § 87(2)(b) license and registration. As § 87(2)(b) was looking for the documents, § 87(2)(b) who was in the passenger seat of the vehicle, handed PO Maldonado his driver's license and a PBA card given to him by § 87(2)(b). PO Maldonado looked at the courtesy card for a brief moment and casually tossed it onto the dashboard of the vehicle without first attempting to hand it back to § 87(2)(b). As PO Maldonado tossed the document through the front driver's side window, he stated something to the effect of "I don't want it" and explained that he was not going to honor the card because it did not have a shield number on it (Board Review 05).

PO Maldonado denied receiving a PBA card from § 87(2)(b) during the incident and instead stated that it was the occupant of the passenger seat, who PO Maldonado believed to be § 87(2)(b) who showed him a courtesy card. PO Maldonado stated that said individual did not hand him the card at any point in the incident, and that he displayed it to PO Maldonado from inside of the vehicle. PO Maldonado was shown a photograph of the courtesy card, provided to the CCRB by § 87(2)(b) and described as the courtesy card presented to PO Maldonado at the time of this incident. PO Maldonado explained that the

photographed courtesy card was not the same as the one showed to him during the incident and denied tossing any documents onto the dashboard of the vehicle (Board Review 06).

§ 87(2)(g)

Squad: 7

Investigator: _____ FILIP WORONIECK 08/09/2017
Signature Print Date

Squad Leader: _____
Title/Signature Print Date

Reviewer: _____
Title/Signature Print Date